IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.116 OF 2007

Smt.Madhuben D.Vyas .. Petitioner.

V/s.

Shri.S.P.Ghorpade and Ors. .. Respondents.

Shri.Santosh Singh for the petitioner.

None for the respondent.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 22ND JANUARY, 2007.

P.C.:

1. The order impugned in this petition instituted under Article 226 of the Constitution of India is at Exhibit-F. It is nothing but a Recovery Certificate granted u/s.101 of the Maharashtra Co-Operative Societies Act and the Recovery Officer, therefore, desires to proceed and execute the same.

2. It is not disputed before me that the remedy of the petitioner is to invoke the revisional jurisdiction

conferred upon the authority stipulated u/s.154 of the Maharashtra Co-Operative Societies Act, 1960. It is not in further dispute that this is an alternate and equally efficacious remedy in as much as all contentions raised in this petition are capable of being raised and agitated in Revision Application.

3. In the light of this position in law, this petition cannot be entertained. It is dismissed on account of availability of alternate remedy.

4. At the request of the petitioner’s advocate, four weeks time is granted to file the revision application.

(S.C.Dharmadhikari, J.)